Item no. 996-B

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96TH CONGRESS
2d Session

SENATE

EXECUTIVE
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PROTOCOL AMENDING THE INTERIM CONVENTION ON CONSERVATION OF NORTH PACIFIC FUR SEALS

COMPLETED

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE PROTOCOL AMENDING THE INTERIM CONVENTION ON CONSERVATION OF NORTH PACIFIC FUR SEALS, BETWEEN THE UNITED STATES, CANADA, JAPAN, AND THE SOVIET UNION, SIGNED AT WASHINGTON, ON OCTOBER 14, 1980 (THE PROTOCOL)

NOVEMBER 12, 1980.—Protocol was read the first time and, together with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed for the use of the Senate

U.S. GOVERNMENT PRINTING OFFICE
79-118 O WASHINGTON : 1980

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LETTER OF TRANSMITTAL

THE WHITE HOUSE, *November 12, 1980.*

To the Senate of the United States:

I am pleased to transmit the Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals between the United States, Canada, Japan, and the Soviet Union, signed in Washington on October 9, 1980.

The Interim Convention was signed in 1957; it replaced an earlier convention on North Pacific fur seals dating back to 1911. Under the two conventions, the herds of fur seals have been protected and managed, and the population has increased from 300,000 animals to approximately 1.7 million. The Interim Convention was extended in 1936 and 1969. A 1976 Protocol further extended the Convention and amended it in order to provide greater protection for fur seals. This Protocol extends the Interim Convention for an additional four years, until 1984. It also reflects the four signatory nations' recognition of the extensions of fisheries jurisdictions which have occurred since the entry into force of the 1976 Protocol.

I transmit also for the information of the Senate the report of the Department of State with respect to the Protocol.

I urge the Senate to act favorably at an early date on this Protocol.

JIMMY CARTER.

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LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, October 31, 1980.

THE PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to submit to you, with a view to transmittal to the Senate for advice and consent to ratification, the Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals, between the United States, Canada, Japan, and the Soviet Union, signed at Washington, on October 14, 1980 (the Protocol).

The Interim Convention was signed in 1957; it replaced an earlier convention on North Pacific fur seals dating back to 1911. Under the two conventions, the herds of fur seals have been protected and managed, and the population has increased from 300,000 animals to approximately 1.7 million. The Interim Convention was extended in 1963 and 1969. A 1976 Protocol further extended the Convention and amended it in order to provide greater protection for fur seals. This Protocol extends the Interim Convention for an additional four years, until 1984. It also reflects the four signatory nations' recognition of the extensions of fisheries jurisdictions which have occurred since the entry into force of the 1976 Protocol.

The Interim Convention bans pelagic sealing, which United States scientists consider a wasteful method of harvesting seals. Should the Convention not be extended, the Japanese have indicated they would return to the practice. The Convention also allows the management of fur seal stocks throughout their range. Without it, the United States could manage fur seals within its fishery conservation zone, but would not have any means of control over taking outside the zone. In addition, the Convention allows the continuation of traditional Aleut harvesting of seals for subsistence.

The Department of Commerce has drafted an environmental impact statement on the possibilities of renegotiating the Interim Convention and has concluded that a four-year extension of the present agreement is the course of action which will provide the best protection to North Pacific fur seals throughout their range. The Department of Commerce, which participated with the Department of State in the negotiation of this Protocol, concurs in the view that early ratification of the Protocol is most desirable. I recommend that the Protocol be transmitted to the Senate as soon as possible for its advice and consent to ratification.

Respectfully submitted,

EDMUND S. MUSKIE.

1980 Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals

The Governments of Canada, Japan, the Union of Soviet Socialist Republics and the United States of America, Parties to the Interim Convention on Conservation of North Pacific Fur Seals, signed at Washington on February 9, 1957, as amended, hereinafter referred to as the Convention,

Desiring to amend the Covention,

Have agreed as follows:

ARTICLE I

The Convention shall be applied as amended by this Protocol as from the date of its entry into force.

ARTICLE II

In Article V, paragraph 2(e) of the Convention, "twenty-first" shall be replaced by "twenty-fifth".

ARTICLE III

In Article VI, paragraph 1 of the Convention, "except within the territorial waters of another State" shall be replaced by "except within the areas in which another State exercises fisheries jurisdiction".

ARTICLE IV

In Article XI of the Convention, "twenty-second" shall be replaced by "twenty-sixth".

ARTICLE V

In Article XIII, paragraph 4 of the Convention, "twenty-two" shall be replaced by "twenty-six".

ARTICLE VI

1. This Protocol shall be subject to ratification or acceptance. Instruments of ratification or acceptance shall be deposited with the Government of the United States of America as soon as possible.

2. A signatory Government which intends to ratify or accept this Protocol, may notify the Government of the United States of America that it will apply this Protocol provisionally in accordance with its laws and regulations pending fulfillment of domestic constitutional requirements for ratification or acceptance.

3. The Government of the United States of America shall notify the other signatory Governments of ratifications or acceptances deposited and of notifications of provisional application made.

4. This Protocol shall enter into force provisionally on the date on which instruments of ratification or acceptance have been deposited or the notifications of provisional application as referred to in paragraph 2 above have been made by all the signatory Governments. It shall continue in force provisionally until the date on which it enters into force definitively in accordance with the provisions of paragraph 5.

5. This Protocol shall enter into force definitively on the date on which instruments of ratification or acceptance have been deposited by all the signatory Governments.

6. The original of this Protocol shall be deposited with the Government of the United States of America, which shall communicate certified copies thereof to each of the Governments signatory to this Protocol.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Protocol.

Done at Washington, this fourteenth day of October, nineteen hundred and eighty, in the English, French, Japanese, and Russian languages, each text equally authentic.

FOR THE GOVERNMENT OF CANADA:
POUR LE GOUVERNEMENT DU CANADA:
カナダ 政府のために：
ОТ ИМЕНИ ПРАВИТЕЛЬСТВА КАНАДЫ:

FOR THE GOVERNMENT OF JAPAN:
POUR LE GOUVERNEMENT DU JAPON:
日本国 政府のために：
ОТ ИМЕНИ ПРАВИТЕЛЬСТВА ЯПОНИИ:

FOR THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR LE GOUVERNEMENT DE L'UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES:
ソビエト社会主義共和国連邦 政府のために：
ОТ ИМЕНИ ПРАВИТЕЛЬСТВА СОЮЗА СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК:

(с заявлением).

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POUR LE GOUVERNEMENT DES ETATS-UNIS D'AMERIQUE:
アメリカ 合衆国 政府のために：
ОТ ИМЕНИ ПРАВИТЕЛЬСТВА СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ:

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